

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONEY TREE CAPITAL FUNDING, LLC

Plaintiff,

– against –

MONEY TREE CAPITAL MARKETS LLC, *a*
New York limited liability company, MONEY
TREE CAPITAL MARKETS LLC, *a Delaware*
limited liability company, and KAMAL MALIK,

Defendants.

MONEY TREE CAPITAL MARKETS LLC, *a*
New York limited liability company, MONEY
TREE CAPITAL MARKETS LLC, *a Delaware*
limited liability company, and KAMAL MALIK,

Counter- and Third-Party Plaintiffs,

– against –

MONEY TREE CAPITAL FUNDING, LLC,

Counter-Defendant,

and

KEITH STEIN, IRA SAFERSTEIN, OLIVIER
COJOT, TITAN CAPITAL LLC *and* ELLING-
TON MANAGEMENT GROUP,

Third-Party Defendants.

ORDER

22-cv-10084 (ER)

RAMOS, D.J.:

Pending before the Court are two motions: plaintiff and the third-party defendants' motion to dismiss the counterclaims and third-party claims against them, respectively, Doc. 167, as well as their motion to quash subpoenas issued to Flagstar

Bank and to certain employees of Titan Capital, LLC, Doc. 191.¹ On June 25, 2024, the parties submitted a letter advising the Court that they were proceeding to mediation and requesting an extension of the remaining discovery-related deadlines in this case. Doc. 211.

The parties do not agree on whether the Court should stay the case (and therefore not adjudicate the pending motions) pending the mediation. The Court notes that the pending motion to dismiss is dispositive as to Titan's involvement in this matter, as well as Stein, Saferstein, and Cojot's involvement as individual parties. To preserve judicial resources, the Court will enter a stay in this case pending the conclusion of the parties' mediation efforts. The parties are directed to advise the Court within 48 hours of the conclusion of mediation. The Clerk of Court is respectfully directed to stay the case.

It is SO ORDERED.

Dated: June 27, 2024.
New York, New York



EDGARDO RAMOS, U.S.D.J.

¹ Third-party defendant Ellington Management Group was voluntarily dismissed from the case.